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Federal Communications Commission  
Office of Secretary

January 28, 2003

The Honorable Senator John McCain  
241 Russell Senate Office Building  
Washington, DC 20510

Dear Chariman McCain:

Ever since the passage of the landmark 1996 Telecommunications Act, Competitive Local Exchange Carriers (CLECs) have worked hard to fulfil the promise of providing lower prices and better phone service to **smdl** businesses across America.

I'm writing today because the Federal Communications Commission is poised to destroy that promise and return our customers to the monopoly the 1996 Act was designed to eliminate.

The FCC intends to decide in February on new rules governing the availability of certain parts of the networks of the incumbent telephone companies, otherwise known as the Unbundled Network Element Platform (UNE-P). We fear the Commission intends to so severely restrict UNE-P regulations that CLECs will not be able to obtain the network access they need to serve their customers.

If that happens, small businesses that today enjoy the benefits of competition for their phone service will face higher prices, poorer service, and no prospect of competition. This is simply not what Congress intended when it passed the 1996 Act.

Further, such onerous restrictions from Washington will greatly impede the ability of Public Utilities Commissioners in the states to make the local decisions on competition contemplated by the 1996 Act.

We ask that you urge FCC Chairman Michael Powell and his fellow Commissioners to protect small businesses by ensuring that CLECs continue to have the full access to UNE-P they need.

Thank you for your leadership on this important telecommunications issue that affects millions of small businesses, and the millions of Americans they employ.

Sincerely,

**Nick Mastroianni**

Cc: FCC ~~Chairman~~ and Commissioners:

**Chairman Michael K. Powell**

Commissioner Kathleen Q. Abernathy

Commissioner Michael J. Copps

Commissioner Kevin J. Martin

Commissioner Jonathan S. Adelstein